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Attorney Docket No. 21535-006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: John A. COREY *et al.*

ASSIGNEE: MTI MICROFUEL CELLS, INC. Examiner: D.V. Scaltrito

SERIAL NUMBER: 09/818,290 Conf. No. 9240 Art Unit: 1746

FILING DATE: March 27, 2001

FOR: METHODS AND APPARATUSES FOR MANAGING EFFLUENT
PRODUCTS IN A FUEL CELL SYSTEM

August 14, 2003
New York, New York

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Completed Form PTOL-85B [1 pg.];
- ☒ Completed Form PTOL-85 [1 pg.];
- ☒ Statement Claiming Small Entity Status [2 pgs.];
- ☒ Submission of Formal Drawings [1 pg.];
- ☒ Formal Drawings, Figs. 1-5 [7 sheets];
- ☒ Check (# 1538) in the amount of \$980.00 (\$650.00 for Issue Fee, \$300.00 Publication Fee and \$30.00 for 10 advance copies of patent); and
- ☒ a Return postcard.

Applicant believes that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **50-0311**, Reference No. 21535-006, Customer No. **35437**. A duplicate copy of this Transmittal Letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 692-6803, New York, New York.

Respectfully submitted,

Dated: August 14, 2003

Brian P. Hopkins

Brian P. Hopkins, Reg. No. 42,669
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
Chrysler Center, 666 Third Avenue, 24th Floor
New York, New York 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

Express Mail Label No.: EV334317096US
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ASSIGNEE: MTI MICROFUEL CELLS, INC.
SERIAL NUMBER: 09/818,290 EXAMINER: D.V. Scaltrito
Confirmation No. 9240
FILING DATE: March 27, 2001 ART UNIT: 1746
FOR: METHODS AND APPARATUSES FOR MANAGING EFFLUENT
PRODUCTS IN A FUEL CELL SYSTEM

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b))--SMALL BUSINESS CONCERN)**

I hereby state that I am the attorney of record for the small business concern empowered to act on behalf of the concern identified below:

MTI MICROFUEL CELLS, INC.
431 New Karner Road
Albany, New York 11205

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the specification filed herewith, with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Applicants: John A. COREY *et al.*
Serial No.: 09/818,290

Each such person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists
☐ each such person, concern, or organization is listed below

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Brian P. Hopkins, Reg. No. 42,669
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
Chrysler Center
666 Third Avenue, 24th Floor
New York, New York 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

Signature: _____

Brian P. Hopkins

Date: _____

August 14, 2003

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ASSIGNEE : MTI MICROFUEL CELLS, INC. Art Unit: 1746
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Attn: OFFICIAL DRAFTSPERSON

SUBMISSION OF FORMAL DRAWINGS

This is in response to the Notice of Allowability mailed June 2, 2003.

The above-identified application has been allowed. Enclosed are 7 sheets of substitute formal drawings (Figures 1-5) for filing to complete the file. The drawings are presented on A-4 size paper, and the margins, numbers, letters and reference characters meet the size requirements. No new information is presented. Kindly substitute these formal drawings for the drawings presently on file.

Applicants believe that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **50-0311**, Reference No. 21535-006, Customer No. **35437**.

Respectfully submitted,

Brian P. Hopkins, Reg. No. 42,669
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
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New York, New York 10017
Tel: (212) 935-3000
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